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Agenda item 2
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Eritrea:* draft resolution

35/... Situation of human rights in Ethiopia

The Human Rights Council,

Guided by the Charter of the United Nations, as well as the Universal Declaration of Human Rights, the International Covenants on Human Rights and other international human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect the human rights and fundamental freedoms of their citizens and to fulfil their obligations under international human rights conventions,

Recalling the press statement of the African Commission on Human and Peoples' Rights of 2 September 2016 on the human rights situation in Ethiopia as well as its resolution ACHPR/Res. 356(LIX) of 4 November 2016 on the human rights situation in Ethiopia,

Expressing grave concern about the alarming situation in Ethiopia, the increase in persistent, widespread and systematic human rights violations and abuses, including killings and excessive use of force by the Ethiopian authorities against civilians and peaceful protesters as well as the arbitrary detention and torture of tens of thousands of Ethiopians,

Expressing grave concern also about the state of emergency that the Ethiopian authorities declared in October 2016 and renewed in April 2017, the provisions of which suspend all civic and political rights, prohibit public gatherings, further limit freedom of expression, criminalize accessing the Internet, impose dusk-to-dawn curfews and declare large areas of the country "red zones", where military and security forces can take all necessary measures, including shooting to kill, against citizens whose presence in those zones during curfew hours is not "authorized" by the authorities,

* State not a member of the Human Rights Council.

Recognizing that the current political situation in Ethiopia, the political and economic marginalization of the country's largest ethnic groups and the brutal repression of peaceful assembly and expression of grievances and demands is causing serious risk to security and stability in the country,

Recognizing also that the international community can play a critical role in preventing the further deterioration of the human rights situation in Ethiopia and the risk of further insecurity in the country and the region by highlighting the human rights violations by the Government and abuses and the risk of escalation of the civil strife,

Recalling the appeals made by the United Nations High Commissioner for Human Rights, the African Commission for Human and Peoples' Rights and a number of thematic special procedure mandate holders for the Ethiopian authorities to provide unhindered access to the country for independent international observers to assess the alarming human rights situation,

Noting the recent visit of the High Commissioner to Ethiopia, in which he expressed concern at the lack of the rule of law and renewed his call to the Government of Ethiopia for access to affected areas,

Mindful that Ethiopia is a State party to the African Charter on Human and Peoples' Rights and recalling the statement of the African Commission on Human and Peoples' Rights calling upon the Government of Ethiopia to allow the African Commission and other international and regional human rights mechanisms unimpeded access to the concerned areas in order to carry out prompt and impartial investigations,

Deeply concerned by the dire human rights and security situation and the lack of accountability and impunity in regard to widespread and persistent violations of fundamental freedoms in Ethiopia,

1. *Strongly condemns*:

(*a*) The ongoing persistent, widespread and systematic violations and abuses of fundamental rights in Ethiopia by the Government, particularly the excessive use of force by the security forces against peaceful demonstrators and other civilians, arbitrary mass detention of protesters, students and political and business leaders, as well as acts of torture and ill-treatment of detainees and extrajudicial killings;

(*b*) The prohibition of the freedom of peaceful assembly and all expressions and symbols of political aspiration, as well as the right to ask for leave and resign from a job;

(*c*) The repeated abuse of the 2009 Anti-Terrorism Proclamation and Charities and Societies Proclamation and the utilization of the October 2016 state of emergency to suspend basic freedoms and rights and to employ force to crush all independent political expression;

(*d*) The forcible transfer of populations and massive land grab that violates the social and cultural rights of indigenous groups;

(*e*) The refusal by the Ethiopian authorities to cooperate with international and regional mechanisms to allow an independent, transparent and impartial investigation, which is warranted by the alarming human rights and security situation in the country;

(*f*) The extrajudicial killing and forced disappearances committed by the Government;

(*g*) The lack of cooperation with regional and international human rights mechanisms;

2. *Calls upon* the Ethiopian authorities, without delay:

(*a*) To lift the state of emergency decree, restore civic and political rights, respect the right to peaceful assembly and protests and respond to the demands of the Ethiopian people;

(*b*) To account for and release all arbitrarily detained political prisoners and peaceful protesters;

(*c*) To cooperate fully with the Office of the United Nations High Commissioner for Human Rights and the African Commission for Human and Peoples' Rights, by, inter alia, allowing access to a mission by the Office of the High Commissioner, the African Commission and other regional and international human rights treaty bodies;

(*d*) To end the use of arbitrary detention of Ethiopian citizens and to end the use of torture and inhumane and degrading treatment and punishment;

(*e*) To immediately repeal the Anti-Terrorism Proclamation and the Charities and Societies Proclamation used by the Government of Ethiopia to restrict freedoms, silencing dissent, and release immediately those detained under these laws;

3. *Requests* the Office of the High Commissioner to urgently organize and dispatch a mission of independent experts to Ethiopia, inter alia:

(*a*) To undertake an investigation into the violations of fundamental freedoms and widespread abuses committed against peaceful protestors and the civilian population in the Amhara and Oromia regions;

(*b*) To make recommendations on ways to end impunity and ensure accountability for abuses and crimes, including by identifying perpetrators and compensation for victims;

(*c*) To submit a written report to, and engage in dialogue with, the Human Rights Council at its thirty-eighth session and present an oral update to the Council at its thirty-seventh session and the General Assembly at its seventy-third session;

4. *Calls upon* the Government of Ethiopia to cooperate fully with the mission of independent experts, to permit access to visit the country and to provide the information necessary for the fulfilment of the mandate of the mission;

5. *Requests* the Secretary-General to provide the mission of independent experts with all information and resources necessary to fulfil its mandate;

6. *Decides* to remain seized of the matter.